

**Notice of Allowability**

Application No.

10/733,820

Examiner

Samuel Berhanu

Applicant(s)

CALHOON ET AL.

Art Unit

2838

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/31/2007.
2. ☒ The allowed claim(s) is/are 9, 12-21 and 28-37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application
- ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other \_\_\_\_\_

/Adolf Berhane/  
Adolf Berhane  
Primary Examiner  
Art Unit 2838

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with MR. Jason Rhodes on 01/07/2008.

The application has been amended as follows:

In Claim 16, lines 3-7, replace "at the battery charger assembly, a coil wirelessly receiving a polling message from a source, the polling message including a data structure having a header and a payload; " " with ---at the battery charger assembly, a coil wirelessly receiving a polling message from an inductive source by listening for the source to alternate between an energized state and a de-energized state at regular intervals, the polling message being received while the battery charger assembly is in a polling listening mode;--.

In claim 28, line 2, replace "Includes a polling" with --unit transmits--

In Claim 28, line 2, after "payload" add --o the inductive power source--.

In Claim 32, lines 13-14, replace "an inductive energy source and for transmitting a request for power message to the inductive energy source" with --the inductive power source, while in the polling listening mode, by listening for the inductive power source to

alternate between an energized state and de-energized state at regular intervals, and transmitting a request for power message to the inductive power source---

In Claim 36, lines 13-16, replace "receiving an intermittent message from the inductive power source and, in response to receiving the intermittent message, for transmitting a request for power message and the battery charging parameters to the inductive power source " with ---receiving a polling message from the inductive power source, while in a polling listening mode, by listening for the inductive power source to alternate between an energized state and de-energized state at regular intervals, and in response to receiving the polling message, a request for power message and the battery charging parameters to the inductive power source---.

***Allowable Subject Matter***

2. Claims 9, 12-21 and 28-37 allowed.

3. The following is an examiner's statement of reasons for allowance:

For Claim 16: Primarily, the prior art of record does not disclose or suggest in the claimed combination: a coil wirelessly receiving a polling message from an inductive source by listening for the source to alternate between an energized state and a de-energized state at regular intervals, the polling message being received while the battery charger assembly is in a polling listening mode

For Claim 32: Primarily, the prior art of record does not disclose or suggest in the claimed combination: the inductive power source, while in the polling listening mode, by listening for the inductive power source to alternate between an energized state and de-energized state at regular intervals.

Art Unit: 2838

For Claim 36: Primarily, the prior art of record does not disclose or suggest in the claimed combination: while in a polling listening mode, by listening for the inductive power source to alternate between an energized state and de-energized state at regular intervals.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel Berhanu whose telephone number is 571-272-8430. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Akm Ullah can be reached on 571-272-2361. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Adolf Berhane/  
Adolf Berhane  
Primary Examiner  
Art Unit 2838

SB